

REMARKS

In response to the Office action mailed June 11, 2009, the Examiner's claim rejections have been considered. Applicant respectfully traverses all rejections regarding all pending claims and earnestly solicit allowance of these claims.

1. Claim Rejection – 35 U.S.C. § 102 – Claims 1-5 and 8-12

The Examiner has rejected claims 1-5 and 8-12 under 35 U.S.C. § 102(b) as being anticipated by Hughes. Applicant respectfully traverses this rejection. For the sake of brevity, the rejections of the independent claims 1 and 8 are discussed in detail on the understanding that the dependent claims are also patentably distinct over the cited references, as they depend directly from their respective independent claims. Nevertheless, the dependent claims include additional features that, in combination with those of the independent claims, provide further, separate and independent bases for patentability.

In response to the rejection, Applicant has amended claim 1 by including the limitations of dependent claims 6 and 7, which have in turn been canceled. Similarly, Applicant has amended claim 8 by including the limitations of dependent claims 13 and 14, which have in turn been canceled. In the Office action, the Examiner states that Hughes fails to show the limitations of claims 6, 7, 13 and 14. Therefore, amended claims 1 and 8 are not anticipated by Hughes.

The Examiner states in the Office action that the limitations of claims 6, 7, 13 and 14 are disclosed in Wong, and therefore, stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hughes in view of Wong. Applicant respectfully traverses this rejection because Wong does not disclose the limitation of claims 6, 7, 13 and 14, which have been added to independent claims 1 and 8, respectively. Amended claim 1 now recites:

wherein the contour generator is configured to generate and display data points corresponding to the data values, such that one or more of the data points is displayed as a local maximum, and one or more contour lines around one or more of the data points, each contour line representing data values which are less than the data value of the data point around which the contour line is displayed.

As recited in this claim, and as described on page 8 of the current application and shown in FIG. 2, the contour generator displays a data point, and around that data point are contour lines

representing a data value less than the data point in the middle of the contour lines. The data point is a maximum value surrounded by contour lines that represent data values that are less than the data point in the middle of the contour lines. Thus, the contour generator displays a contoured “dome” (or hemisphere) with a data point being the maximum value (or apex) of the “dome.” This provides a display to the user that is easy to view and quickly locates the data points, which are the maximum value or “apex” of the “dome.”

These limitations now found in claim 1 are not disclosed in FIG. 113 of Wong as stated by the Examiner. FIG. 113 of Wong is a report graph screen with data values charted over time. The data points in this graph are shown with a square or circle indicating whether the data value represents “cash in bank #1” or “trade accounts payable,” respectively. In FIG. 113, there are no contour lines or any other types of lines that are disposed around the data points that represent another data value that is less than the data point. Review of the Wong reference did not produce any disclosure of generating and displaying contour lines representing a data value less than the data value of the data point surrounded by the contour lines as recited in claim 1. Therefore, for this additional reason, Applicant respectfully submits that claim 1, and those claims that depend therefrom, are also allowable over Hughes in view of Wong.

Amended claim 8 includes similar limitations as recited in amended claim 1. Therefore, for the same reasons as discussed above with regard to claim 1, Applicant respectfully submits that claim 8, and those claims that depend therefrom, are allowable over Hughes in view of Wong.

2. Claim Rejections – 35 U.S.C. § 103(a) – Claims 6, 7, 13, 14

The Examiner has rejected claims 6, 7, 13, and 14 under 35 U.S.C. § 103(a) as being unpatentable over Hughes in view of Wong. Applicant respectfully submits that claims 6, 7, 13 and 14 have been canceled making this rejection moot.

CONCLUSION

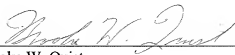
Applicant has made an earnest and *bona fide* effort to clarify the issues before the Examiner and to place this case in condition for allowance. Reconsideration and allowance of claims 1-5 and 8-12 is believed to be in order, and a timely Notice of Allowance to this effect is respectfully requested.

The Commissioner is hereby authorized to charge the fees indicated in the Fee Transmittal, any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17, or to credit any overpayments, to Deposit Account No. 194293, Deposit Account Name STEPTOE & JOHNSON LLP.

Should the Examiner have any questions concerning the foregoing, the Examiner is invited to telephone the undersigned attorney at (310) 734-3200. The undersigned attorney can normally be reached Monday through Friday from about 9:00 AM to 6:00 PM Pacific Time.

Respectfully submitted,

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